

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK  
BROOKLYN DIVISION

-----X  
IN RE:

Chapter 11

ENGLISH ESTATES LLC.

Case No.: 1-21-42343-JMM

Debtors.  
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Judge: Hon. Jil Mazer-Marino

I, Yonel Devico, being of lawful age and being first duly sworn on oath, states and deposes as follows:

1. I am over 18 years of age. I have personal knowledge of the facts in this Affidavit based on my review of the business records defined below, am competent to testify about such facts, and would do so if I appeared as a witness in the above-styled action.

2. I am a Vice President at Windward Bora LLC (“Windward Bora”). As such, I am authorized to make this Affidavit in support of the motion.

3. In the regular performance of my job functions, I have access to and am familiar with the business records (the “Records”) relating to the mortgage loan dated November 1, 2005 in the amount of \$102,000.00 in favor of First Franklin A Division of Nat City Bank of IN (the “NCB Loan”). Attached to the Declaration of Seth D. Weinberg (the “Weinberg Decl.”) as **Exhibits D and E** are true and correct copies of the NCB Note and the NCB Mortgage (the “Note and Mortgage”). The Borrower on the NCB Loan was Ivan Lugo (“Lugo” or the “Borrower”). *See id.*

4. The Records (which include but are not limited to, data compilations, electronically imaged documents, and others) are made at or near the time of events or activities reflected in such records by, or from information provided by, persons with knowledge of the activities and the

9. In addition to the aforementioned default, the Borrower defaulted under the terms of the Note and Mortgage by failing to tender the payments required beginning with the payment due on January 1, 2014 and all subsequent payments thereafter. *See Weinberg Decl. Exhibit J.*

10. I have reviewed our Records, and no payment of any kind has been received concerning the NCB Loan since January 1, 2014.

**WHEREFORE**, it is respectfully requested that Windward Bora LLC's motion be granted in its entirety, with such other and further relief that the Court may deem just and proper.

Dated: 10/13/2021

**WINDWARD BORA LLC**

By: \_\_\_\_\_

Name: Yonel Devisio

Title: VP

STATE OF FLORIDA )  
 ) ss.  
COUNTY OF MIAMI-DADE )

On OCTOBER 13, 2021, before me, Mott Marvin Kornicki a Notary Public in and for said County and State, personally appeared Yonel Devisio, who is personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

My Commission Expires:

NOVEMBER 29, 2022

M Kornicki

Notary Public

[NOTARY SEAL]

